

**UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF TENNESSEE AT CHATTANOOGA**

HOLLEY PERFORMANCE	)	
PRODUCTS INC.,	)	
	)	
Plaintiff and Counter-Defendant,	)	Case No. 1:26-cv-59-CEA-CHS
	)	
v.	)	
	)	
ACES FUEL INJECTION, INC.,	)	
	)	
Defendant and Counter-Plaintiff.	)	

**ACES FUEL INJECTION, INC.'S FIRST REQUESTS FOR ADMISSIONS
TO HOLLEY PERFORMANCE PRODUCTS, INC.**

Pursuant to Rule 36 of the Federal Rules of Civil Procedure, Defendant/Counter-Plaintiff Aces Fuel Injection, Inc. ("Aces") serves the following Requests for Admissions upon Plaintiff/Counter-Defendant Holley Performance Products, Inc. ("Holley"). Aces requests that Defendant provide its written response to each Request within thirty (30) days of service hereof.

DEFINITIONS

This discovery is governed by the following general definitions:

And/Or:

The conjunctions "and," "or," and "and/or" shall be interpreted in every instance both conjunctively and disjunctively, and shall never be interpreted so as to exclude any information otherwise within the scope of a request.

Any/All:

The word "all" shall be deemed to include and encompass the words "each," "every," and "any," and vice versa.

Disjunctive/Conjunctive:

The use of the disjunctive shall include the conjunctive, and vice versa.

Document:

The term "document" means all written, printed, or graphic matter of every kind or description, however produced or reproduced, whether original or reproduction, signed or unsigned, and regardless of whether approved, signed, sent, received, redrafted, or executed, and includes, but is not limited to, all paper material of any kind, whether written, typed, printed, punched, filmed, or marked in any way, and all mechanical or electronic audio or video recordings or transcripts thereof.

"Document" includes, but is not limited to, letters, correspondence, memoranda, handwritten notes, written communications, interoffice communications, summaries or records of telephone conversations, summaries or records of personal conversations or interviews, telephone bills, summaries or records of meetings or conferences, summaries or reports of investigations or negotiations, opinions or reports of experts or consultants, messages, telegrams, telex messages, websites, brochures, catalogs, newsletters, diaries, journals, desk calendars, pocket calendars, appointment books, minutes, books, records, reports, studies, charts, graphs, ledgers, invoices, bills, receipts, checks, checkbooks, canceled checks, logs, worksheets, work papers, tax returns, computer printouts, prospectuses, financial statements, schedules, accounting or other work papers, expense account records, product and/or service schedules, territorial maps, financial records and statements, affidavits, written statements, summaries, contracts, agreements, purchase or sale orders, requisitions, client lists, product lists, customer accounts, transcripts, statistical records, surveys, magazine or newspaper articles, designs, layouts, drawings, sketches, diagrams, photographs, film, slides, motion pictures, videos, digital images, computer disks, microfiche, microfilm, recording tape, and information contained in any computer database, in computer

hardware or software, or contained in any data storage device such as compact disk, CD Rom, DVD, floppy disk, zip drive, etc.

"Document" also specifically refers to any e-mail or other electronically stored data, whether or not reduced to tangible form, on magnetic or optical storage media, including, but not limited to:

- (a) all "active," "deleted," "residual," or "archive" files,
- (b) all electronic information, such as "metadata," hidden "post-it notes," document history and activity records, formulae used to calculate fields in spreadsheets, hidden columns or fields in spreadsheets or databases, or other hidden characters or values, which do/does not appear on the hardcopy printouts, and
- (c) all electronic file fragments or files that have been deleted and partially overwritten with new data.

"Document" also means all drafts and all copies of documents by whatever means made if the copy bears any other marking or notation. If a document has been prepared and several copies or additional copies have been made that are non-identical (or are no longer identical by reason of any subsequent additions or notations or other modifications of such copies), each non-identical copy is to be construed as a separate "document."

Evidencing:

The word "evidencing" shall be construed in its broadest sense which shall mean directly, indirectly, circumstantially, inferentially, or otherwise having any tendency to prove (i.e., make more or less probable) the proposition, topic or subject in question, either in whole or in part.

Identify:

The word "identify" means that with respect to a document, set forth the following information: a general description thereof (e.g., letter, memorandum, report, etc.); a brief summary of its contents, or a description of the subject matter it concerns; the name and address of the persons who drafted, prepared, compiled, or signed it; and any other descriptive information necessary in order to adequately describe it in a subpoena duces tecum or in a motion or request for production thereof. With regard to a person, the term "identify" means set forth the person's name, occupation, and last known home and work address and telephone number.

Masculine/Feminine/Neuter:

The masculine gender shall also include the feminine and neuter genders. Any reference to any gender shall include all other genders.

Person:

The term "person(s)" refers to any individual person (whether living or deceased), partnership, firm, corporation, association, joint venture, or other entity.

Refer(ring)/Relat(e/ing) to:

The terms "refer to," "referring to," "relate to," and "relating to" shall be construed in their broadest sense and shall mean directly or indirectly describing, setting forth, discussing, mentioning, commenting upon, supporting, contradicting, or referring to the subject or topic in question, either in whole or in part. A document or communication "refers to" or "relates to" a given subject matter if that document or communication constitutes, embodies, comprises, reflects, identifies, states, deals with, comments on, responds to, describes, analyzes, contains information concerning, or is in any way pertinent to the subject matter. "Relating to" means and includes "constituting," "referring to," "pertaining to," "evidencing," "reflecting," "describing," or "has

anything to do with," and in each instance, directly or indirectly. These terms mean, without limitation, any reference or relationship which either (a) provides information with respect to the subject of inquiry, or (b) might lead to individuals who, or documents which, might possess or contain information with respect to the subject of inquiry.

Singular/Plural:

The singular shall include the plural, and vice versa.

SPECIFIC DEFINITIONS

"515 Patent" refers to U.S. Patent No. 11,118,515 titled "Electronic Fuel Injection Throttle Body Assembly."

"083 Patent" refers to U.S. Patent No. 11,333,083 titled "Electronic Fuel Injection Throttle Body Assembly."

"894 Patent" refers to U.S. Patent No. 11,409,894 titled "Fuel Injection Throttle Body."

"434 Patent" refers to U.S. Patent No. 12,203,434 titled "Fuel Injection Throttle Body."

"475 Patent" means U.S. Patent No. 7,735,475 titled "Fuel Injection Body Sized to Replace Carburetor Body."

"Patents-in-Suit" refers to the '515 Patent, '083 Patent, '894 Patent and the '434 Patent collectively.

"You", "Your" and **"Holley"** refer to the Plaintiff/Counter-Defendant, Holley Performance Products Inc., and includes any parent, subsidiary, division, joint venture, affiliate, related company or other legal entity that is owned or controlled in whole or in part by Plaintiff/Counter-Defendant, and any agents, employees, officers, directors, owners and/or others acting on behalf of Plaintiff/Counter-Defendant or any such entities.

"Aces," "Defendant," and **"Counter-Plaintiff"** means Aces Fuel Injection, Inc.

"Lawsuit" means *Holley Performance Products Inc., v. Aces Fuel Injection, Inc.*, No. 1:26-cv-59-CEA-CHS, pending in the United States District Court for the Eastern District of Tennessee.

"Aces Product(s)" means the Killshot Fusion EFI System, the Deuces Wild 2-bbl EFI System, and any other product, system, assembly, device, component, software, firmware, or combination thereof that Holley contends infringes, directly or indirectly, any claim of any Patent-in-Suit.

"Holley Manual" refers to the TERMINATOR X and TERMINATOR X MAX MPFI fuel Injection System Installation & Tuning Manual, including all versions, revisions, drafts, updates, supplements, derivative works, and materials associated with U.S. Copyright Registration No. TX 9-500-485.

"Holley Product(s)" means any product, system, assembly, device, component, software, firmware, or combination thereof that Holley contends practices, embodied, embodies, incorporates, or has incorporated any claim of any Patent-in-Suit, whether currently or formerly manufactured, used, offered for sale, sold, imported, licensed, marketed, or distributed by Holley.

"Accused Holley Products" means the products accused by Aces of infringing the '475 Patent, including without limitation the Holley Sniper EFI, Sniper 2 EFI, Terminator X Stealth, Atomic EFI, and any other product that Aces contends infringes the '475 Patent.

"Related Patents and Applications" means all patents, patent applications, continuations, continuations-in-part, divisionals, provisionals, reissues, reexaminations, foreign counterparts, foreign applications, and patents claiming priority to, sharing priority with, or otherwise related to any Patent-in-Suit or the '475 Patent.

"Holley Counsel Letter" means the letter from Holley's counsel to Aces dated February 11, 2026, a copy of which is attached as Exhibit E to Aces' original Answer and Counterclaims (Dkt. 16).

"Marked" or **"Marking"** refers to the process described in 35 U.S.C. § 287(a) whereby a patent holder may give public notice that a product it sells is patented in the United States, by marking its product or labeling its product or the product's packaging with the patent number ("Physical Marking"), or by identifying a web address that associates the patented product with the patent number ("Virtual Marking").

REQUESTS FOR ADMISSION

REQUEST FOR ADMISSION NO. 1: Admit that the Holley Counsel Letter constituted the first written notice provided by Holley to Aces alleging infringement of any Holley Patent-in-Suit.

RESPONSE:

REQUEST FOR ADMISSION NO. 2: Admit that, prior to the Holley Counsel Letter, Holley never communicated to Aces that any Aces Product infringed any Holley Patent-in-Suit.

RESPONSE:

REQUEST FOR ADMISSION NO. 3: Admit that, prior to February 11, 2026, Holley sold one or more products in the United States that practiced at least one claim of one or more Holley Patents-in-Suit.

RESPONSE:

REQUEST FOR ADMISSION NO. 4: Admit that Holley seeks damages for alleged infringement occurring before February 11, 2026.

RESPONSE:

REQUEST FOR ADMISSION NO. 5: Admit that, prior to February 11, 2026, Holley sold at least one product in the United States that practiced at least one claim of the '515 Patent.

RESPONSE:

REQUEST FOR ADMISSION NO. 6: Admit that, prior to February 11, 2026, none of the Holley Products sold in the United States that practiced at least one claim of the '515 Patent were Marked via Physical Marking or Virtual Marking with the '515 Patent number.

RESPONSE:

REQUEST FOR ADMISSION NO. 7: Admit that, as of February 11, 2026, Holley had not identified the '515 Patent on a website owned or controlled by Holley for any product that Holley contends practiced the '515 Patent.

RESPONSE:

REQUEST FOR ADMISSION NO. 8: Admit that, prior to February 11, 2026, Holley sold at least one product in the United States that practiced at least one claim of the '083 Patent.

RESPONSE:

REQUEST FOR ADMISSION NO. 9: Admit that, prior to February 11, 2026, none of the Holley Products sold in the United States that practiced at least one claim of the '083 Patent were Marked via Physical Marking or Virtual Marking with the '083 Patent number.

RESPONSE:

REQUEST FOR ADMISSION NO. 10: Admit that, as of February 11, 2026, Holley had not identified the '083 Patent on a website owned or controlled by Holley for any product that Holley contends practiced the '083 Patent.

RESPONSE:

REQUEST FOR ADMISSION NO. 11: Admit that, prior to February 11, 2026, Holley sold at least one product in the United States that practiced at least one claim of the '894 Patent.

RESPONSE:

REQUEST FOR ADMISSION NO. 12: Admit that, prior to February 11, 2026, none of the Holley Products sold in the United States that practiced at least one claim of the '894 Patent were Marked via Physical Marking or Virtual Marking with the '894 Patent number.

RESPONSE:

REQUEST FOR ADMISSION NO. 13: Admit that, as of February 11, 2026, Holley had not identified the '894 Patent on a website owned or controlled by Holley for any product that Holley contends practiced the '894 Patent.

RESPONSE:

REQUEST FOR ADMISSION NO. 14: Admit that, prior to February 11, 2026, Holley sold at least one product in the United States that practiced at least one claim of the '434 Patent.

RESPONSE:

REQUEST FOR ADMISSION NO. 15: Admit that, prior to February 11, 2026, none of the Holley Products sold in the United States that practiced at least one claim of the '434 Patent were Marked via Physical Marking or Virtual Marking with the '434 Patent number.

RESPONSE:

REQUEST FOR ADMISSION NO. 16: Admit that, as of February 11, 2026, Holley had not identified the '434 Patent on a website owned or controlled by Holley for any product that Holley contends practiced the '434 Patent.

RESPONSE:

REQUEST FOR ADMISSION NO. 17: Admit that Holley was aware of the '475 Patent before selling at least one Accused Holley Product.

RESPONSE:

REQUEST FOR ADMISSION NO. 18: Admit that U.S. Patent Publication No. 2009/0145406 was cited during prosecution of the '515 Patent.

RESPONSE:

REQUEST FOR ADMISSION NO. 19: Admit that U.S. Patent Publication No. 2009/0145406 was cited during prosecution of the '083 Patent.

RESPONSE:

REQUEST FOR ADMISSION NO. 20: Admit that Holley has never obtained a license under the '475 Patent.

RESPONSE:

REQUEST FOR ADMISSION NO. 21: Admit that Holley has never requested a license under the '475 Patent.

RESPONSE:

This 4th day of September, 2026.

Respectfully submitted,

By: /s/ John G. Jackson

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CERTIFICATE OF SERVICE

I do hereby certify that a true and correct copy of the foregoing pleading was served upon the following via electronic mail pursuant to Tenn. R. Civ. P. 5.02(2)(A) and/or United States first-class mail with proper postage applied thereon to ensure prompt delivery to:

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This 4th day of September 2026.

/s/ John G. Jackson
John G. Jackson